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6 IVORY JOE VALENTINE,

No. C 15-5933 WHA (PR)

7 Petitioner,

ORDER OF TRANSFER

8 v.

9 SPEARMAN, Warden,

(Dkt. No. 2, 4)

10
11 Respondent.
12 _____ /
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14
15 Petitioner is a state prisoner currently incarcerated at the California Training Facility in
16 Soledad, California. He has filed a petition for a writ of habeas corpus under 28 U.S.C. 2254
17 challenging a conviction and sentence obtained in 1986 in Orange County Superior Court.
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19 A petition for a writ of habeas corpus made by a person in custody under the judgment
20 and sentence of a state court of a state which contains two or more federal judicial districts may
21 be filed in either the district of confinement or the district of conviction. *See* 28 U.S.C. §
22 2241(d). Each of such districts shall have concurrent jurisdiction to entertain the petition;
23 however, the district court for the district where the petition is filed may transfer the petition to
24 the other district in the furtherance of justice. *See id.* Federal courts in California traditionally
25 have chosen to hear petitions challenging a conviction or sentence in the district of conviction.
26 *See Dannenberg v. Ingle*, 831 F. Supp. 767, 768 (N.D. Cal. 1993); *Laue v. Nelson*, 279 F. Supp.
27 265, 266 (N.D. Cal. 1968).
28
Petitioner challenges a judgment from Orange County, which lies within the venue of
the Central District of California. Accordingly, in the interest of justice, and pursuant to 28
U.S.C. § 1406(a), this action is TRANSFERRED to the United States District Court for the

1 Central District of California. In light of the transfer, this Court will not resolve whether
2 petitioner may proceed in forma pauperis.

3 The clerk shall transfer this matter forthwith and terminate docket numbers 2 and 4 from
4 this court's docket.

5 **IT IS SO ORDERED.**

6 Dated: January 31, 2016.

7 
8 WILLIAM ALSUP
9 UNITED STATES DISTRICT JUDGE